

Docket No.: 03500.015845  
Date: February 5, 2009

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES  
AND PETITION FOR EXTENSION OF TIME

In re Application of: TOMOAKI ENDOH

Application No.: 09/964,787

For: PERIPHERAL EQUIPMENT AND MANAGEMENT  
METHOD THEREOF

Filed: September 28, 2001

Group Art Unit: 2625

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from  
the decision dated August 5, 2008, of the Primary Examiner finally rejecting Claims 45 to 54.

The items checked below are appropriate.

1. ☒ Applicant hereby petitions under 37 C.F.R. §1.136(a) for a three month extension of time to respond to the final rejection. The \$1,110.00 extension fee under 37 C.F.R. §1.17 is being paid electronically.
2. ☐ A Petition for an additional \_\_\_\_ month extension of time to take further action, together with the \$\_\_\_\_ extension fee under 37 C.F.R. §1.17, was filed on \_\_\_\_\_.

3. ☒ Fee \$540.00
- ☐ Fee \$270.00 (Verified Statement claiming small entity status is enclosed, if not filed previously.)
- ☒ Paid Electronically.
- ☐ Not required (fee paid in prior appeal).
- ☐ Charge to Deposit Account No. 06-1205.
4. ☒ Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 or 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205.
5. ☒ Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

/Scott D. Malpede/

---

Scott D. Malpede  
Attorney for Applicant  
Registration No. 32,533

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3800  
Facsimile: (212) 218-2200

SDM\rcnm

FCBS\_WS 2818808v1